

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2006-294-C - ORDER NO. 2007-747
OCTOBER 31, 2007

IN RE: Sandi Perry,)	ORDER DENYING
)	CLAIMS FOR RELIEF
Complainant/Petitioner)	AND PETITION FOR
)	RULEMAKING
v.)	
)	
BellSouth Telecommunications, Inc. d/b/a)	
AT&T South Carolina,)	
)	
Defendant/Respondent.)	

This matter comes before the Public Service Commission of South Carolina (“Commission”) following a full hearing held on July 25, 2007.

In her petition, Sandi Perry (Perry), a pro se litigant, alleged that BellSouth Telecommunications, Inc., d/b/a AT&T South Carolina (“AT&T”) had wrongfully charged her for an unspecified number of calls to Canada and two three-way calls. She also alleged violations of federal privacy laws and several tort-based causes of action including invasion of privacy, intentional infliction of emotional distress, and slander. She further claimed that AT&T wrongfully collected money paid on her behalf by her mother and sister. Claiming to have suffered anxiety, mental anguish, and damage to her relationships with family members, she requested compensatory and punitive damages.

In Order No. 2007-277, we held that we had no jurisdiction or authority to adjudicate any of Perry’s tort-based claims or to award tort damages. We also held that

we were without jurisdiction or authority to award consequential damages or expenses incurred by Perry in litigation. We further held that Perry had no standing to seek refunds of money paid to AT&T on her behalf by her mother and sister. Accordingly, we dismissed all of Perry's claims with the exception of those claims for alleged wrongful charges for telephone calls Perry claims never to have made. The total amount of money in controversy relating to the alleged wrongful telephone charges is \$34.86.

Subsequent to the issuance of Order No. 2007-277 on April 23, 2007, Perry filed a Petition for Rulemaking, seeking to have us require AT&T and other telecommunications carriers to print the National Do Not Call Registry telephone number on customer bills each month. On July 2, 2007, we issued Order No. 2007-442, finding that Perry's Petition essentially arose as a result of a private dispute in which she was engaged with AT&T, and further noting that AT&T was meeting the federal requirements with regard to customer notice of how to opt-out of solicitation calls. We initially denied Perry's Petition for Rulemaking, but notified Perry and AT&T that they could present information pertaining to the costs and benefits of the requested modifications to monthly billing at the merits hearing in this docket.

At the July 27, 2007 hearing, AT&T produced witnesses who testified that the Company had taken extraordinary measures to confirm that the disputed charges were in fact legitimately incurred by Perry. Perry presented no evidence to support her claims of alleged wrongful charges or to refute the evidence offered by AT&T. We find that AT&T's witnesses were credible, and that in any case, their testimony was uncontroverted. Therefore, we deny Perry's claims for relief from the disputed charges

and order her to pay the amounts due and owing to AT&T. We further reiterate that Perry's claims seeking contract damages and tort-based compensatory and punitive damages are outside our jurisdiction and authority, and we grant Perry no relief with regard to these allegations. Finally, with regard to Perry's efforts to impose upon AT&T and other carriers the legal obligation to print the National Do Not Call Registry telephone numbers on each monthly customer bill, we deny the requested relief. Perry herself has already availed herself of the National Do Not Call Registry, and has suffered no damages herself due to the alleged deficiency of the existing notice mechanism. The only witness she presented, Ms. Nancy Reaves, testified that she likewise has used the National Do Not Call Registry and achieved the desired result of fewer solicitation calls. In any case, Perry has not followed Commission regulations with regard to initiating rulemaking proceedings. For all of these reasons, we deny the relief requested by Perry.

Since the issuance of the Directive in this matter on August 8, 2007, but prior to the issuance of this Order, Perry has filed two Petitions for Rehearing. We memorialize in this Order our Directives of August 22, 2007 and September 12, 2007, denying each of these Petitions as premature. If Perry wishes to petition the Commission for reconsideration of this Order, she must do so within ten days of receipt of this Order. Any subsequent review of the Commission's actions in this matter must be sought in the appellate courts of South Carolina.

OCTOBER 31, 2007

PAGE 4

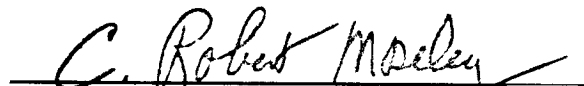
This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:



G. O'Neal Hamilton, Chairman

ATTEST:



C. Robert Moseley, Vice Chairman

(SEAL)